



This Form Based on PTO/SB/21

DPOW 10/14

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/699,785
		Filing Date	November 4, 2004
		First Named Inventor	MAMITSU et al.
		Group Art Unit	2822
		Examiner Name	POTTER, Roy Karl
		Attorney Docket Number	01-103-CON5

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <ul style="list-style-type: none"> <li>PTO Form 1449</li> <li>Copies of cited references and foreign communication</li> </ul>
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm name	Posz & Bethards, PLC
Individual name	David G. Posz
Registration No.	37,701
Signature	
Date	October 14, 2004



OCT 14 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Based on PTO/SB/17

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180)

## Complete if Known

Application Number	10/699,785
Filing Date	November 4, 2003
First Named Inventor	MAMITSU et al.
Examiner Name	POTTER, Roy Karl
Art Unit	2822
Attorney Docket No.	01-103-CON5

## METHOD OF PAYMENT (check all that apply)

 Check    Credit card    Money Order    Other    None
 Deposit Account

Posz &amp; Bethards, PLC

50-1147

## The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below    Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
1001	790	2001 395 Utility filing fee	
1002	350	2002 175 Design filing fee	
1003	550	2003 275 Plant filing fee	
1004	790	2004 395 Reissue filing fee	
1005	160	2005 80 Provisional filing fee	

## SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20**=	Extra Claims	Fee from below	Fee Paid
Independent Claims	0	- 3**=	X 18	=
Multiple Dependent	0		X 88	=
Large Entity	Small Entity			
Fee Code (\$)	Fee Code (\$)	Fee Description		
1202	18	2202 9 Claims in excess of 20		
1201	88	2201 44 Independent claims in excess of 3		
1203	300	2203 150 Multiple dependent claim, if not paid		
1204	88	2204 44 **Reissue independent claims over original patent		
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent		

## SUBTOTAL (2) (\$ 0)

\*\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge – late filing fee or oath	
1052	50	2052	25	Surcharge – late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,370	2453	685	Petition to revive – unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 180)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	David G. Posz	Registration No. (Attorney/Agent)	37,701	Telephone	(703) 707-9110
Signature				Date	October 14, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): MAMITSU et al.  
Serial No.: 10/699,785  
Filed: November 4, 2003  
Title: **SEMICONDUCTOR DEVICE HAVING RADIATION STRUCTURE**

Atty. Dkt.: 01-103-CONS  
Group Art Unit: 2822  
Examiner: POTTER, Roy Karl

Commissioner for Patents  
Arlington, VA 22202

Date: October 14, 2004

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §1.56, the references listed on the attached Form PTO-1449 are being submitted for consideration by the Examiner without any admission that they constitute statutory prior art, or without any admission that they contain subject matter that anticipates the invention or renders the invention obvious to a person of ordinary skill in the art.

Further, regarding the two listed U.S. patents, pursuant to 37 C.F.R. §1.97(e)(2), the undersigned hereby certifies that neither of these patents was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement. Please note that US Patent Nos. 4,620,215 and 6,472,305 were first cited in the Office Action dated August 9, 2004 in a related co-pending application (Serial No. 10/699,744). A copy of the office action is attached herewith. Please also note that US Patent No. 6,448,645 was also cited in the Office Action (copy enclosed), but was already disclosed in the Information Disclosure Statement filed on November 4, 2003.

Furthermore, pursuant to 37 C.F.R. §1.97(e)(1), the undersigned hereby certifies that each of the 4 listed JP references was first cited in a Communication (copy enclosed) from a foreign patent office in connection with a counterpart foreign application not more than three months prior to the filing of this statement.

The above-identified patent application has been allowed in a NOTICE OF ALLOWABILITY mailed on October 1, 2004. Therefore, pursuant to 37 C.F.R. §1.97(d), the references are being submitted along with the appropriate fee. Please charge any additional fees to Deposit Account No. 50-1147.

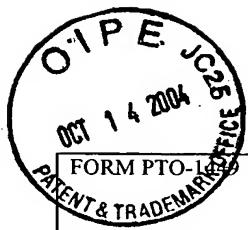
Also, the Examiner is requested to initial the attached PTO Form-1449 and to return a copy of same to the undersigned attorney as proof that the listed references have been considered and made of record.

Respectfully submitted,



David G. Posz  
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PATENT APPLICATION  
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FORM PTO-104 PARENT & TRADEMARK OFFICE	ATTY. DKT NO.	01-103-CON5	SER. NO.	10/699,785
	APPLICANT	MAMITSU et al.		
	FILING DATE	November 4, 2003	GROUP	2822

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS
		4,620,215	Oct., 1986	Lee, James C.K.		
		6,472,305	Oct., 2002	Ozaki et al.		

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	NAME	CLASS	SUB CLASS	TRANSLATION YES	TRANSLATION NO (Abstract)
		JP-A-H07-66143	3/10/95	JAPAN					X
		JP-A-H09-237868	9/9/97	JAPAN					X
		JP-A-H09-45773	2/14/97	JAPAN					X
		JP-A-H11-204803	7/30/99	JAPAN					X

\* Full English text of the JP Document will be available in machine-translated form from JP (Japanese Patent Office) English language web site at <http://www1.ipdl.jpo.go.jp/PA1/cgi-bin/PA1INDEX>.

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER		DATE CONSIDERED